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IBJNEWS

# Tentative settlement reached in lawsuit over historic church

Tom Harton June 21, 2011 KEYWORDS ARCHITECTURE/DESIGN, COMMERCIAL REAL ESTATE, DEVELOPMENT/REDEVELOPMENT, ENDANGERED HISTORIC STRUCTURES, HISTORIC LANDMARKS FOUNDATION OF INDIANA, HISTORIC PRESERVATION, INDIANAPOLIS HISTORIC PRESERVATION COMMISSION, REAL ESTATE & RETAIL

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everybody.”

Storzer said either party could revive the case, filed in U.S. District Court in Indianapolis, within a year if the dispute isn't resolved.

City officials wouldn't comment but provided a copy of the settlement agreement. It says the church will work with Indiana Landmarks, a local not-for-profit whose primary mission is to save historic places, to find a buyer. The clock started ticking on the settlement in April. If after six months there is no resolution, the city agreed in the settlement to begin the process of lifting the historic designation.

Marsh Davis, president of Indiana Landmarks, said the agreement to set the legal action aside has resulted in a positive dialogue with the church. He said he's met with representatives of the congregation twice since the court case was closed and found they're open to helping find a buyer or staying in the historic building if necessary improvements can be made.

Landmarks intends to pay a consultant from Partners for Sacred Places to help find a way to preserve the church that is acceptable to the congregation. Partners for Sacred Places is a Philadelphia-based not-for-profit that helps communities and congregations find ways to save architecturally significant church buildings.

St. John United Methodist, originally known as Deutsche Evangelische St. Johannes Kirche, features Tudor Gothic Revival architecture. The preservation plan adopted by the city called the church "significant...for its association with early rural community settlement in Marion County" and "for extraordinary stained glass windows found throughout the building.

A legal dispute over the future of an historic church on the east side that sits in the middle of a busy commercial district has been settled—at least temporarily.

A provisional settlement in a federal lawsuit filed last September against the city by St. John United Church of Christ gives parties in the case six months to find a buyer for the nearly 100-year-old church at the northeast corner of Washington Street and German Church Road.

In its lawsuit, the church said it had agreed to sell the property to Gershman Brown Crowley, a developer representing the CVS drugstore chain, but that the city's emergency designation of the property as historic in 2009 scuttled the sale.

The church planned to use the proceeds of the sale to build a \$3 million church at Prospect Street and Carroll Road that would have the amenities necessary to boost membership and lift the church out of financial distress. The shrinking congregation said it lacked the means to pay for \$1.3 million in utility bills, maintenance and capital projects needed at the old church.

“There is a presumptive settlement under which the church could sell its property and build elsewhere and the preservationists could save the building,” said Roman P. Storzer, an attorney with Storzer & Greene, a Washington, D.C.-based firm that represents the church. The firm specializes in religious land-use cases.

“The church is working in good faith to find a solution that works for

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